



JON S. CORZINE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



ANNE MILGRAM
Attorney General

LAWRENCE DEMARZO
Acting Director

October 5, 2007

By Certified and Regular Mail

Cynthia Casey, P.T.
1 River Court
Fieldsboro, New Jersey 08505

Mailing Address:
P.O. Box 45014
Newark, NJ 07101
(973) 504-6455

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Ms. Casey:

This letter is to advise you that the New Jersey State Board of Physical Therapy Examiners (the "Board") has had an opportunity to review information concerning the physical therapy services provided at Sports Physical Therapy Institute, at the Princeton, New Jersey location. Specifically, the information reviewed included the following: 1) an anonymous complaint filed with the Board on or about November 12, 2005, and amended on or about December 31, 2005, alleging that duties were being improperly delegated to aides; 2) A complaint filed by E.M, on behalf of his wife, B.H., alleging improper patient billing; 3) the patient records of B.H.; and 4) the testimony that you provided at the investigative inquiry held on July 11, 2006, which you attended without legal representation.

Based upon its review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:1-21(n) and N.J.A.C. 13:39A-2.4, in that you aided and abetted aides in performing tasks that require a physical therapy license. The tasks the aides appear to have performed are within the scope of acceptable tasks for licensed physical therapists or licensed physical therapy assistants, as regulated by N.J.A.C. 13:39A-2.4.

Upon questioning, you confirmed that aides at your facility were performing a number of activities, including: setting up patients on the exercise equipment; instructing patients on their performance of exercises, often based upon the printed out flow sheet for the patient's session; instructing them on their home exercise programs; and correcting patients during the performance of their exercises. Also, according to your testimony, an aide is sometimes the first person that makes contact with the patient at subsequent visits to the clinic following the initial evaluation. Additionally, you confirmed that aides at the Princeton facility are involved in the placement of hot and cold packs on patients.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. A formal reprimand for aiding and abetting aides in performing tasks within the scope of practice for licenced persons in the field of physical therapy, in violation of N.J.S.A. 45:1-21(n) and N.J.A.C. 13:39A-2.4.

2. Pay a penalty in the amount of \$1,000.00 for your violation of N.J.S.A. 45:1-21(n) and N.J.A.C. 13:39A-2.4 to be paid immediately upon signing of the acknowledgment at the bottom of this letter. Payment is to be made by certified check or money order and made payable to the Board of Physical Therapy Examiners and sent to the attention of the Executive Director, P.O. Box 45014, Newark, New Jersey 07101.

3. Pay costs in the amount of \$171.00 due and payable immediately upon acceptance of this letter and mailed to the address listed above.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of formal disciplinary action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez, who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of formal disciplinary action.

NEW JERSEY STATE BOARD OF
PHYSICAL THERAPY EXAMINERS

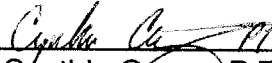
By:

 .PT

Nancy Kirsch, P.T. Ph.D.
Chair

NO 9A00099100

ACKNOWLEDGMENT: I, Cynthia Casey, P.T. , hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$1,000.00, and costs in the amount of \$171.00 for a total of \$1,171.00 to be paid upon signing of this acknowledgment.


Cynthia Casey, P.T.

OCT 24 2007

Dated:

cc: Carmen A. Rodriguez, Deputy Attorney General